

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF JUSTICE

### Drug Enforcement Administration

#### 21 CFR part 1310

[DEA Number 137P]

RIN 1117-AA31

#### Exemption of Chemical Mixtures; Correction

**AGENCY:** Drug Enforcement Administration (DEA), Justice.

**ACTION:** Correction to notice of proposed rulemaking.

**SUMMARY:** This document contains corrections to the proposed rule (DEA-137P) which was published Wednesday, September 16, 1998, (63 FR 49506). The proposed rule related to the implementation of those portions of the Domestic Chemical Diversion Control Act of 1993 [Pub. L. 103-200] that exempt from regulation under the Controlled Substances Act certain chemical mixtures that contain regulated chemicals.

**FOR FURTHER INFORMATION CONTACT:** Frank O. Sapienza, Chief, Drug and Chemical Evaluation Section, Office of Diversion Control, Drug Enforcement Administration, Washington, DC 20537, Telephone (202) 307-7183.

#### SUPPLEMENTARY INFORMATION:

##### Background

The proposed regulations that are subject to this correction make amendments to parts 1300 and 1310 of Title 21 of the Code of Federal Regulations to exempt from regulation, under the Controlled Substances Act, certain chemical mixtures that contain listed chemicals.

##### Need for Correction

As published, the proposed rule contains the following errors that may cause confusion: 1) reference is made to a nonexistent paragraph (g) in the amendatory language of 21 CFR 1310.12; 2) the amendatory language of 21 CFR 1310.13 (i) is incomplete; and 3)

there are several typographical errors in the "Supplementary Information" section.

Accordingly, the publication on September 16, 1998 of the proposed rule (DEA-137P), which was the subject of FR Doc. 98-24293, is corrected as follows:

#### Supplementary Information—[Correction]

1. On page 49506, in the third column, twentieth line from the bottom correct "caused" to read "used".

2. On page 49508, first column, eighteenth line, correct "21 U.S.C. 802(39)(a)((v))" to read "21 U.S.C. 802(39)(A)(v)".

3. On page 49508, first column, first full paragraph, twenty third line correct "Methamphetamine Control Act of 1966" to read "Methamphetamine Control Act of 1996".

4. On page 49508, first column, eighth line from the bottom, correct "21 U.S.C. 802(39)(a)(iii)" to read "21 U.S.C. 802(39)(A)(iii)".

5. On page 49508, second column, eight line from the top, insert "appear" after "not".

6. On page 49508, second column, fourth line from bottom of last full paragraph correct "and" to read "or".

7. On page 49510, third column, eight line from the bottom, replace "grining" with "grinding".

8. On page 49512 on the first line of the first column replace "1998" with "1988".

#### § 1310.12 [Corrected]

1. On page 49514, in the third column, in § 1310.12 paragraph (a) remove "(c), (d) and (g)" of the second line and add "(c) and (d)" in its place.

#### § 1310.13 [Corrected]

2. On page 49517, in the second column, in § 1310.13, paragraph (i) remove the colon following "section" and add "and are exempted by the Administrator from application of sections 302, 303, 310, 1007, and 1008 of the Act (21 U.S.C. 822-3, 830, and 957-8):"

Dated: October 14, 1998.

**Donnie R. Marshall,**

*Acting Deputy Administrator, Drug Enforcement Administration.*

[FR Doc. 98-27991 Filed 10-16-98; 8:45 am]

BILLING CODE 4410-09-M

## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### 30 CFR Parts 72 and 75

RIN 1219-AA74

#### Diesel Particulate Matter Exposure of Underground Coal Miners

**AGENCY:** Mine Safety and Health Administration (MSHA), Labor.

**ACTION:** Proposed rule; notice of hearings; and close of record.

**SUMMARY:** MSHA is announcing public hearings regarding the Agency's proposed rule addressing diesel particulate matter exposure of underground coal miners, which was published in the **Federal Register** on April 9, 1998. These hearings will be held under section 101 of the Federal Mine Safety and Health Act of 1977. The rulemaking record will remain open until February 16, 1999.

**DATES:** All requests to make oral presentations for the record should be submitted at least 5 days prior to each hearing date. However, you do not have to give a written request to be provided an opportunity to speak. The public hearings are scheduled to be held at the following locations on the dates indicated:

November 17, 1998—Salt Lake City, Utah

November 19, 1998—Beaver, West Virginia (Beckley)

December 15, 1998—Mt. Vernon, Illinois

December 17, 1998—Birmingham, Alabama

Each hearing will last from 9:00 a.m. to 5:00 p.m., but will continue into the evening if necessary.

The record will remain open until February 16, 1999.

**ADDRESSES:** Send requests to make oral presentations to: MSHA, Office of Standards, Regulations, and Variances, Room 631, 4015 Wilson Boulevard, Arlington, VA 22203-1984.

The hearings will be held at the following locations:

November 17, 1998—Salt Palace Convention Center, 100 S. West Temple, Salt Lake City, Utah, 84101.

November 19, 1998—National Mine Health & Safety Academy, Auditorium, 1301 Airport Road, Beaver, West Virginia (Beckley) 25813-9426.